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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Uwe Wagner

WAGNER 16

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EXAMINER

SULLIVAN, DEBRA M

ART UNIT

PAPER NUMBER

3725

MAIL DATE

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11/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,020	Applicant(s) WAGNER, UWE	
	Examiner Debra M. Sullivan	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL REJECTION

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show centering means, angular orientation means, axial limit stops and locking means as described in the specification. Although Applicant has submitted new figure 4 to show these elements, the figure simply has all of the above cited elements referencing a bore within coupling K1 of the positioning device. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

The claims are objected to because they include reference characters which do not correspond to the reference characters of the detailed description. For example, the detailed description refers to the coupling of the pressure roller with reference character K and the complementary coupling (the coupling of the robot arm) with reference character K1, however the claims have reference character K referring to the coupling of the robot arm (automatically actuable coupling, lines 11-12) and reference character K1 referring to the coupling of the roller (complementary coupling, line 13).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 3 and 4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant has failed to provide details for the claimed “centering means, angular orientation means and axial limit stops” in claim 2 and “locking pieces and latching mechanisms” in claims 3 and 4. With regards to claim 2, it is unclear from the disclosure what are the centering means, angular orientation means and axial limit stops and their connection to one another within the coupling. Furthermore, the drawings of figure 4 simply shows all three elements referencing a bore within the coupling (K1) of robot. As to claim 3, the disclosure, as

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presently amended, states that the locking pieces is illustrated in newly added figure 4. However, reference element LP for the locking pieces points to the same location as the centering means CM, annular orientation means AOM and axial limit stops AL of the pressure roller coupling, therefore it is unclear as what the locking pieces are and how they lock the coupling. Furthermore, the disclosure states "results in a definite positioning of the roller W2, when the coupling is latched or locked with the locking pieces LP", however, it is unclear what coupling Applicant is referring to. Is it pressure roller coupling that is locked with the locking pieces onto the robot arm coupling, therefore the locking pieces are mounted within the robot arm coupling or is the robot arm coupling that is locked with the locking pieces onto the pressure roller coupling, therefore the locking pieces are mounted within the pressure roller coupling. The specification and drawings do not provide a clear description or illustration of what and where the locking pieces are with respect to the coupling.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3-6 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (1) With regards to claim 3, it is unclear which Applicant is referring to with the limitation "the coupling (K, K1)", is it the automatically actuatable coupling or the complementary coupling. (2) As to claim 5, it is unclear which coupling Applicant is referring to that is encompassed by the coupling release device. Furthermore, it is unclear how the button or lever is connected to the coupling release device to release the coupling. Claim 4, from which claim 5 depends, states that the coupling release device cooperates with the locking

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pieces of the coupling, therefore it is assumed that the locking pieces lock the coupling to the coupling release device and that the coupling release device engage the locking pieces to release the coupling. However, the specification states that a spring which is connected to spreading levers which cooperate with a button and coupling release device release the coupling. (3) With regards to claim 6, there is lack of antecedent basis for “the centering devices” and it is unclear which coupling, the automatically actuatable coupling or the complementary coupling, Applicant is referring to in line 4. (4) As to claim 10, the claimed force sensor limitation is unclear since this depends from a claim (claim 9) that indicates that the force sensor is an alternative provision, “the actual signal of which is produced by a motor-current signal *and/or* a force-sensor signal” [Lines 3-5 of claim 9]. Therefore, it may or may not be apart of the apparatus and, thus, the limitation of claim 10 appears inconsequential. Therefore, the subject matter is indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7-9, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salomon (EP 0 997 260 A2) in view of Laempe (DE 298 21 047 U1). Salomon discloses a device for covering profile material (3), comprising a roller conveyor, wherein the profile material (3) is longitudinally guided and pressure rollers (5) which can be positioned, respectively, in relation to each other in a pressure position, such that a proportioned covering material (30) is pressed about the profile of the profile material (3) which is oriented transversal

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to the conveyor device, wherein pressure rollers (5) are arranged successively in groups in the direction of conveyance and are pressed by means of a multi-axis positioning device (6, 20, 13 & 14). Salomon discloses the invention substantially as claimed except for wherein the positioning device has an automatically actuatable coupling, the pressure roller has a complementary coupling and a magazine having magazine compartments arranged in a positioning area of the coupling of the positioning device. However, Laempe teaches of providing a device with a multi-axis positioning device (4, 4a) having an automatically actuatable coupling (grippers 8) that exchanges tools (2) having complementary couplings (spindles that fit into gripper cavity, see figure 2) at a storage facility for the purpose of easily changing the operation of the machining device in a fast efficient manner. Therefore, it would have been obvious to modify the device of Salomon with the tool storage facility and coupling system as taught by Laempe in order to allow for easy exchanging of tools within the operation of the machine.

In reference to claim 2, as best understood, Laempe discloses in figure 2 the coupling of the tool comprises of a centering means, an angular orientation means such as a radial extension and axial limit stop (the abutment of the spindle with the tool). It is noted that Applicant fails to provide structural limitations for the centering means, angular orientation means and axial limit stops and from the drawing it simply appears to be a rod protruding from the tool, therefore the spindle which protrudes from the tool of Laempe meets these limitations.

In reference to claim 3, as best understood, Laempe further teaches of the coupling of the positioning device (4, 4a) comprises of radially actuatable locking pieces (claws of gripper 8), as seen in figure 2.

In reference to claim 7, Laempe further teaches of the positioning device (4, 4a) being a robot turning in six degrees of freedom, as seen in figure 2.

In reference to claim 8, the combination of Salomon and Laempe discloses the robots (4, 4a) to be fixed next to the roller conveyor.

In reference to claim 9, Laempe further teaches of the robot (4, 4a) being positioned by means of servomotors and posses a driving-force regulation with the actual signal being produced by a motor-current signal.

In reference to claims 11 and 12, it is the examiner's position that these are inherent features in Laempe's robots in that a control system would be provided that would accurately move, stop and position the robots relative to the desired position and to the magazine. Clearly, the Laempe's master controller would contain profile related information within its memory of the selectable tools along with stopping and idling positions for the robot during use.

Response to Arguments

Applicant's arguments filed July 17, 2008 have been fully considered but they are not persuasive. Applicant argues that Laempe fails to teach of couplings and complementary couplings, which facilitate the positioning of rollers in the magazine and their orientation in the apparatus.

The Examiner respectfully disagrees with Applicant. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., couplings that facilitate the positioning of rollers in the magazine and their orientation in the apparatus) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification

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are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Claim 1 states that the positioning device has an automatically actuatable coupling whereon the pressure roller held by a complementary coupling in a defined, oriented manner, however, the limitations directed to the magazine compartments simply state that the compartments are positioned in a positioning area of the coupling of the positioning device and house the pressure rollers when not in use in a manner that the robot coupling an access when needed. There is no support in the claim for the couplings facilitating the position of rollers in the magazine as argued by Applicant. Laempe teaches of a positioning device coupling (8) that can engage a complementary coupling (spindle of a tool), which are held within a magazine (3).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra Sullivan whose telephone number is (571) 272-1904. The examiner can normally be reached Monday - Thursday 10am - 8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached at (571) 272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Debra M Sullivan/
Examiner, Art Unit 3725

/Dana Ross/
Supervisory Patent Examiner, Art Unit 3725